

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VINCENT P. JIMENEZ,

Plaintiff,

v.

Civil No. 11-707 WJ/SMV

**OFFICER JEFFERY STONE,
OFFICER KEVIN TODACHEENIE,
OFFICER SARGENT LUNA,
THE CITY OF ALBUQUERQUE,
THE CITY OF ALBUQUERQUE POLICE
DEPARTMENT,
METROPOLITAN DETENTION CENTER,
CAPTAIN CANDELARIA, JUDGE
RAMCZYK, and JOHN DOES 1-9,**

Defendants.

**ORDER ADOPTING FINDINGS OF MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on the Proposed Findings of Fact and Recommendation for Disposition, filed by the Magistrate Judge on September 14, 2011 (**Doc. 6**). The Court, having conducted a *de novo* review of these findings and recommendations, hereby ADOPTS the Magistrate Judge's Proposed Findings of Fact and Recommendation for Disposition.

Plaintiff names eight Defendants in his Complaint for Damages for Personal Injuries and Civil Rights Violations, and the Magistrate Judge recommended dismissal for five of those Defendants either for failure to state a claim, on the basis of judicial immunity, or because the named defendant was not a proper party. This Court agrees with the basis for dismissal of those Defendants.

The Magistrate Judge recommended that Plaintiff's Motion for IFP (Doc. 3) be granted.

The Court agrees with this finding as well. Accordingly, the Court hereby adopts the findings and recommended disposition of the Magistrate Judge and hereby orders that the Clerk be directed to issue notice and waiver of service forms for the remaining three Defendants: Officer Jeffery Stone, Officer Kevin Todacheenie, and Officer Sargent Luna.

SO ORDERED.



UNITED STATES DISTRICT JUDGE

A handwritten signature in black ink, appearing to read "Wm. H. Paugh", is written over a horizontal line. Below the line, the words "UNITED STATES DISTRICT JUDGE" are printed in a standard sans-serif font.